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Judge's COPY (Original)

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

APR 29 2008 *new*
Apr 29 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

James Worthem

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

08CV2445
JUDGE DER-YEGHIAYAN
MAG. JUDGE SCHENKIER

vs.

Case No:
(To be supplied by the Clerk of this Court)

EDWIN A. BURNETTE #30295

Jonathan Vangher (A.P.D.)

Camilie Cozlowiski (supervisor A.P.D.)

Ann Boran (A.P.D.)

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:



COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)



COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)



OTHER (cite statute, if known)

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

I. Plaintiff(s):

- A. Name: JAMES M WORTHEM
- B. List all aliases: David SCOTT
- C. Prisoner identification number: 20070071905
- D. Place of present confinement: COOK COUNTY JAIL
- E. Address: 2700 SASTH CALIFORNIA, CHICAGO IL, 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: EDWIN A BURNETTE
Title: PUBLIC DEFENDER OF COOK COUNTY ILLINOIS
Place of Employment: 1ST MUNICIPAL, 69 W. WASHINGTON ST, CHICAGO IL, 60622
- B. Defendant: JONATHAN VONGITTER
Title: ASSISTANT PUBLIC DEFENDER
Place of Employment: 5600 OLD ORCHARD ROAD, SKOKIE IL, 60077
- C. Defendant: LAMIE KOZLOWSKI
Title: SUPERVISOR OF A.P.D. IN SKOKIE
Place of Employment: 5600 OLD ORCHARD ROAD, SKOKIE IL, 60077

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

D) MS. ANN BORAN
ASSISTANT PUBLIC DEFENDER
5600 OLD ORCHARD ROAD, SKOKIE IL, 60077

Revised 9/2007

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: JAMES M WORTHEM V.
Deputy Boyle Case # 07-C-6589
- B. Approximate date of filing lawsuit: 11/21/07
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: JAMES M WORTHEM (AKA) David Scott
- D. List all defendants: Sheriff's Deputy /Bailiff Mr. Boyle
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): NORTHERN DISTRICT OF ILLINOIS
- F. Name of judge to whom case was assigned: Honorable Judge Leinenweber
- G. Basic claim made: EXCESSIVE FORCE / ASSAULT
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): MOTION TO LEAVE OF FILE IN FORMA
PAUPERIS IS GRANTED
- I. Approximate date of disposition: 2/5/08

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

A. James M Worthem v. Tom Dart, etc. #07-c-6687

B. 11/28/07

C. James Worthem (AKA) David Scott

D. DR. Ting, DR. Carasquillo, paramedic Douglas, chief wright, DIR Godinez, Sheriff Tom Dart.

E. Northern District of Illinois

F. Honorable Judge Leinenweber

G. Health and Safety violations/Red spots

H. Granted in leave of forma pauperis

I. ?

III - continued

A. James Worthem v. Jennifer Hall etc. Case# 07 c-7255

B. 12/27/07

C. James Worthem (AKA) David Scott

D. Michael C Moore, Jennifer Hall, U.S. Attorney General, and U.S. Attorney

E. Northern District of Illinois

F. Honorable Judge James B-Zagel

G. Deliberate Indifference, Gross Negligence, Bivens, const. Amend 8 and 14th.

H. Granted in leave of forma pauperis

I. ?

III - continued

A. James M Worthem v. Tom Dart, chief of police for C.P.D., Godinez #08 c 1210

B. 2/28/08

C. James Worthem (AKA) David Scott

D. Tom Dart, Salvador Godinez, and Dana Starks.

E. Northern District of Illinois

F. Honorable Judge Leinenweber

G. Posting notice of Rights

H. Dismissed/Terminated.

I. 3/5/08

III continued,

A. James Worthem v. Tom Dart etc.

B. 3/5/08

C. James Worthem (AKA) David Scott

D. Tom Dart and Director Salvador Godinez

E. Northern District of Illinois

F. Honorable Judge Leinenweber

G. Extortion and Racketeering.

H. Still Pending

I. ?

III. Continued

A. James Worthem v. Venkatta Nataam

B. APRIL 1 / 2008

C. James Worthem (AKA) David Scott

D. Venkatta Nataam

E. Northern District of Illinois

F. Honorable Judge Joan H Lefkow

G. Civil Rights, physical injuries

H. Still Pending.

I. ?

(1)

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

(**INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS.**)

ON APRIL 23rd of 2007, I WAS CHARGED FOR THE ALLEGED CRIME OF ROBBERY, ON MAY 28th OF 2007, I WAS ARRAIGNED AND APPOINTED THE REPRESENTATION OF THE PUBLIC DEFENDERS OFFICE AT SKOKIE "NAMELY AN "MR. JONATHAN WINGER" OF WHOM INTRODUCED HIMSELF AS FIRST OFFERING ME A 8 YEAR PLEA BARGAIN BEFORE GIVING ME HIS NAME, I IMMEDIATELY REJECTED THAT OFFER AND PRORESSED MY TOTAL INNOCENCE TO THIS ASSISTANT PUBLIC DEFENDER SINCE THE VERY FIRST MEETING, I MADE A PLEA BEFORE THE COURT OF A "NOT GUILTY" AND THE FOLLOWING DATES ARE THE COURT DATES I'VE HAD SINCE MY ILLEGAL ARREST ON 4/23/07, 4/30/07, 5/28/07, 6/19/07, 7/27/07, 8/3/07, 9/10/07, 9/26/07, 10/12/07, 11/5/07, 11/30/07, 1/22/08, 2/4/08*, 3/10/08 AND *4/10/08. ON 4/30/07, I HAD AN PRELIMINARY HEARING AT WHICH THE SOLE VICTIM ON THIS CASE COULD NOT PICK ME OUT UNTIL THE 3RD TIME AT WHICH WAS ONLY DUE TO THE STATES POINTING AT MY DIRECTION DID THE VICTIM THEN POINT ME OUT AND STATED ON RECORD THAT SHE COULD NOT RECOGNIZE ME DUE TO DIFFERENT CLOTHES. THE JUDGE FOUND PROBABLE CAUSE, ON 5/28/07 I TOLD

(2)

P.D. John Vaughan of that illegal Discrepancy at the preliminary hearing but he refused to listen to reason and of my innocence at every instance and brief Meeting, on *6/19/07, I was in Z.D.O.C. completing the remainder of my parole but was taken to court on this day from the Stateville C.C. I again pleaded with my P.D. and I also told him if he could please help me to keep me safe and secure due to my life being in grave Danger because of my working with F.B.I. Agents prior to my being locked up on 4/23/07, P.D. Was given the full names and phone numbers to my F.B.I contacts but he never investigated MY Pleas for Life and protection. I also let Z.D.O.C. know of those dangers as well but was ignored also by them. on 7/25/07 I was viciously Attacked by 2 inmates as I was Cuffed and shackled and they were cuffed in front of them and used their cuffs as weapons to hit me all about the head, back, face and ear, I Received 5 stitches in left ear along with contusions about the head and face area, All because of my working with F.B.I. officials on the outside and the P.D. knew about the dangers that I faced but yet neglected to protect the safety and well being of the Defendant he chose to represent. I came to court on 7/27/07 with stitches

in my left ear and bumps and bruises all about the face area, & told P.D. of what had happened and he only responded that he had left a message on my F.B.I. contacts phone but there was nothing he can do, I always seen P.D. speaking to my common law wife "Annette Garcia" of whom was locked up for a D.U.I. but within the same Court Room as I, this P.D. constantly instructed my wife to convince me not to take my charge to trial as I would lose, and I repeatedly told this P.D. not too bother my wife about my wanting trial, this P.D. told me that he would not represent me if I chose a Jury trial due to my having tattoos and my previous record would surely have the Jury convict me and that it would be better to take a bench trial. I instructed the P.D. to stay away from "Annette Garcia" because she was originally charged for the assault on the victim on my case but C.P.D. let her go hours later due to absolutely no probable cause, but C.P.D. was claiming that Annette gave them my name that provided them with the "probable cause", so in all reality, Annette may have been a witness for the state but P.D. Jon Vougher was trying to play both sides. At every single court date MR PD Vougher tried to get me to take a Plea bargain for time so that he state can get a conviction, never talked trial strategy with me at all. 6 1/2 months into the case and after many complaints, I was sent a 9x12 manilla envelope that read "Reading Material" not legal or privileged mail by my Attorney P.D. as somebody with money would enjoy from their lawyer, it was a copy of the preliminary hearing transcript and the "Information"

At which should of been given to me at the arraignment on 7/28/07 but wasn't. The package was opened by C.C.I. mail room because there was no attorney/client privilege by the P.D. office. On 8/3/07, I found that my police report stated that probable cause was found 1 hour and 18 minutes after my arrest which was highly illegal, I printed this off to P.D. and he quickly ended our meeting and I personally viewed P.D. and Judge John J. Moran go into Judges chambers and speak about what I had just spoken to him. On 7/27/07 I made a prima facie case showing in court of my being arrested illegally without any probable cause nor any search or arrest warrants and the Judge took that as a bona-fide and ordered a P.C.X. and cause I was at the time in receipt of psych drugs at which again was not a reason for that P.C.X. examination. The P.D. allowed it to go without a single "objection". I also demanded a trial at court and on record on 7/27/07. On 9/10/07 I again told P.D. that on 9/21/07 I was completing my parole time and would be sent back to C.C.I. to fight this case and he assured me that he / the F.B.I. would make sure they put me in a safer environment but that never happened, my life became in danger again and was threatened to get stabbed up in Div S Z-D on 10/15/07 and I let the officers know and chief wright and I myself signed into P.C. on 10/16/07. Also on 9/10/07, the Judge gave a court date of 9/24/07 and I told Judge that would fall on a Saturday so he gave the date of 9/26/07 and I objected to that date and any other court date because I should be at home and the P.D. was not at all working on my best interest. This P.D. was very indifferent and highly prejudicial towards my person and very ineffective and in complete violation of my 6th Amendment Right at effective assistance of counsel as that enjoyed by someone with money, also my 14th Amend at due process and equal protection are violated.

As there should of been no search my self not of looked further into my innocence or for him to file timely notice on my speedy trial right violations such as A Motion to Dismiss. On 9/10/07, P.D. told me that the probable cause that was overruled by he and the state of which he would not show me nor would he allow me to view any part of the Discovery, he stated that probable cause was that C.P.D. showed the victim my photo off of the computer along with 5 other Males and that Annette Garcia false C.P.D. My name when it was all fabricated, I instructed P.D. Vaughn to obtain these photos and to have Annette come to court on my behalf because all this was a huge lie, scandal and complete cover up. I have signed affidavits by Annette Garcia and others written to me that all that C.P.D. stated are not true, My wife was given a bar association attorney for her DUI and given 1 year on a plea bargain so as to discredit her from testifying on my behalf and the officer who locked her up was later found on the news to have illegally written over 100 tickets but my wife has still not been given that opportunity to have her sentence and parole vacated due to lack of Money for a Lawyer. On 11/5/07, the Judge asked the state about the probable cause in my case and state replied that the C.P.D. wouldn't hand em over yet, on 11/30/07 the P.D. and the supervisor "camille corzowski" spoke to me about if I would take a plea of a 2 year sentence, I stated "no" I want to go home to my wife and kids and I only want effective assistance of counsel. I demanded trial and the P.D. went into court room and told Judge I demand trial and it was set for 1/22/08, to first hear a motion to quash arrest, suppress evidence and I on 10/13/07, I myself sent motions to the state

(6)

Circuit Clerk Bill was never put on the calendar for hearing,
I know they received them because P.D. John Vougher should
have one that I sent on purpose "collateral estoppel." I also sent
Duplicate copies to the state, those motions were "Appointment
of counsel other than the P.D. office, Dismissal on Speedy
trial grounds, Discovery, and Quash arrest suppress evidence.
They all Deny their existence. P.D. Camile Cozlowski told me
over the phone in Div 9-3-H at 3:45 pm on 3/6/08 that
the Judge was aware of my motions and that they were
all ignored at and Dismissed/Ignored without my presence and
that the Judge would never let me object to anything on
the record and in his court room, the phone record should
be Subpoenaed for this Day for truth in my allegation. I also
filed 2 complaints against this P.D. John Vougher for ineffectiveness
and A.R.D.C. told me to voice my concern with the Judge
and when I tried, the Judge Prejudicially told me that I
have the best P.D. in the Court Room and would not hear
me out. The P.D. John Vougher sent Annette Garcia a subpoena
to come to court but called her over the phone and told her
not to come because her credibility was no good now that she
was on parole and for her not to come to court or she
would be in trouble. This is so outrageous of a conduct
by the Public Defender. At trial, this P.D. allowed the
witnesses to take the stand and talk about those photos
on computer that allegedly provided probable cause but those
photos were never shown because the C.P.D and state have
Supposedly "Destroyed" that sole evidence of probable cause and
P.D. Allowed it all to happen, I could not "object" at trial
because the Judge had "Balliff Boyle" within 15 feet of my
person to threaten and keep me in the danger zone as
my first amendment rights at freedom of speech were
violated on 9/26/07 by this Balliff Beating/Assaulting
me both inside and outside the court room and P.D.
never put an order of protection on me against the
Deputy wrong doer and Judge allowed balliff to remain

Within his court room and never Admirschd Balliff for what he done to me, I was sent to an outside hospital on 9/26/07 were I suffered multiple contusions to my head, face, and back and this was the same day that "P.D. John Vougher" Said he was NOT representing me anymore and asked what I wanted him to do with the Discovery, I told P.D. John to put it in court, I would go pro-se and tell Judge when I got out there but while attempting my 1st Amend Right, I was severely punished and the P.D. who was next to me at this time and mysteriously Disappeared after this was "Ann Balkan" of the Public Defenders office, next time I appeared at court on 10/12/07, John Vougher was again representing me and I did not want the services of the P.D. office. I even told P.D. John vougher that on 10/12/07 the court room Balliff told me that if I did not drop the F.E.A investigation on him that the Judge would find me guilty since they were friends. This P.D. only stated there was nothing he can do. So now on 2/4/08, The Judge finds me guilty "Illegally" and The P.D.'s office stops taking my collect calls all together because I am upset and I tell them that their wrong in how they treated and represented me throughout the whole deal and the supervisor states that on 3/10/08, on sentencing, the P.D. would withdraw off of my case so I began filing all my own Motions but in the circuit court at 26th and California because the Skokie court house has a Conspiracy Ring going on. All of my timely Motions were filed and I am now pro-se and the state and the Judge continue to give me continuances to hear my Motions, I should of been at home along time ago. The P.D. office is in extreme violation of my 6th Amend Right at effective assistance of counsel and 14th Amend at Due process/Equal protections and 8th at cruel and unusual punishments and are guilty of gross negligent recklessness and Deliberate and

V. **Relief:**

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I'd ask I request that the court Make a ruling in my favor for
The Malicious actions by the P.D. Office and for an extreme
Violation of A serious 6TH and 14TH Amendment, I have suffered
both mentally and physically and Deserved to be treated as a
Human being. I'm asking for Punative and compensatory
Damages in the Amout of \$35 Million Dollars and an
Apology, I should of been at home by now. THANK YOU

VI. The plaintiff demands that the case be tried by a jury. YES NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 16th day of April, 2008

James M Wetherm

(Signature of plaintiff or plaintiffs)

James M Wetherm

(Print name)

2007-0071905

(I.D. Number)

James M Wetherm

P.O. Box 089002

Chicago IL, 60608

(Address)

ALL OF THESE MOTIONS I FILED
ALL ON MY OWN YOU'RE HONOR
Motion AND IS TO BE HEARD ON 5/8/08

Date Filed

Proceed

- | | | Date Filed | Proceed |
|-----|---|------------|--------------------|
| 1 * | Complaint for Prelim Exam | 3/2/2008 | Yes Please |
| 2 * | Motion For New Trial - P.D.-filed - | 3/4/2008 | Yes Please |
| 3 | Post Trial Motion | 2/29/2008 | * No Thanks |
| 4 | Motion For Re-Trial S.Ct. 615 | 2/29/2008 | Yes Please |
| 5 * | Affidavit of James Worthen
and Copies of Post-Trial Motion
and Motion for Re-Trial | 2/25/2008 | Yes Please |
| 6 * | Affidavit of James Worthen and
Motion to Dismiss, Motion For
ABA Association Attorney, and
Motion for Arrest of Judgment | | Yes Please |
| 7 * | On 07/27/07 I Personally
Demand Trial | | Let Record Reflect |

- 8 * Motion To Dismiss 2/29/2008 Yes Please
- 9 Javier Flores 2/29/2008 * No Thanks
- 10 Affidavit of James Worthem 2/29/2008 Yes Please
- 11 * Motion for Discovery 2/29/2008 Yes Please
- 12 Order 2/29/2008 * No Thanks
- 13 * Motion For ABA Attorney 2/29/2008 Yes Please
- 14 * Motion For Judicial Notice 2/28/2008 Yes Please
- 15 * Motion For Arrest of Judgment 2/28/2008 Yes Please

16	* Motion For Stay Pending New Trial	2/29/2008	Yes Please
17	Independent Police Review Auth Statement of Annette Garcia	3/7/2008	Yes Please
18	Circuit Clerk of Cook County Dated 02/26/08	3/7/2008	I'm aware
19	* Affidavit of Annette Garcia	3/10/2008	Yes Please
20	Motion to amend or alter the judgement		Yes Please
21	* Motion for post verdict/judgment of acquittal		Yes Please
22	Motion for relief from the judgement		Yes Please
23	Motion for summary judgement		Yes Please
24	State's attorney/diane		No Thanks
25	Habeas Corpus		Yes Please
26)	Motion that Demands statements/Reports -witnesses		Yes Please
27)	Motion for Sanctions TOL		Yes Please
28)	Motion for objections		Yes Please

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

MAR 04 2008

DOROTHY BROWN
CLERK OF CIRCUIT COURT

IN THE CIRCUIT COURT OF COOK COUNTY
CRIMINAL DIVISION

PEOPLE OF THE STATE OF ILLINOIS)
)
 - vs -)
)
JAMES WORTHEM)

NO.

07CR 9711

MOTION FOR NEW TRIAL

Now comes the defendant, JAMES WORTHEM, by his attorney, EDWIN A. BURNETTE, Public Defender of Cook County, through JONATHAN VONGHER, Assistant Public Defender, after a finding of guilty and before sentencing and respectfully moves this Honorable Court to set aside the finding of guilty in the above-entitled cause and grant him a new trial, without prejudice to or waiving the later discovery of error in the trial record.

IN SUPPORT THEREOF, defendant states:

1. The State failed to prove the defendant guilty of the charge beyond a reasonable doubt.
2. The finding is against the weight of the evidence. The Court did not consider the defendant's testimony that he did not do the crime.
3. The defendant was denied due process of law. The Court should have excluded from its consideration all evidence obtained against the defendant after he was arrested without probable cause.
4. The defendant was denied equal protection of the laws.

5. The State failed to prove every material allegation of the offense beyond a reasonable doubt.

6. The defendant did not receive a fair and impartial trial as guaranteed him under Article I, Sections 2, 6, 8 and 10 of the Constitution of the State of Illinois and under the Fourteenth Amendment to the Constitution of the United States.

7. The Court erred in overruling the defendant's motion for a directed finding at the close of the State's case.

8. The finding is based upon evidentiary facts which do not exclude every reasonable hypothesis consistent with the innocence of the defendant.

WHEREFORE, for the various reasons urged before and during the trial and every error as may appear from the official transcript of proceedings, defendant requests a new trial.

Respectfully submitted,

EDWIN A. BURNETTE, #30295
Public Defender of Cook County

BY: John Vougher
Jonathan Vougher
Assistant Public Defender

The P.D. John Vougher only submitted this Motion because he was informed of all the motions I myself filed within the courts right after being found Guilty (illegally) which was on 2/4/08 and MY motions were filed on 2/29/08. This Motion was filed exactly 30 days of MY guilty verdict and P.D. asked Judge if it would be okay to incorporate his Motion with mine before he withdraw off my case. I am now P.D.-SR.



ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
of the
SUPREME COURT OF ILLINOIS

One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, IL 60601-6219
(312) 565-2600 (800) 826-8625
Fax (312) 565-2320

One North Old Capitol Plaza, Suite 333
Springfield, IL 62701
(217) 522-6838 (800) 252-8048
Fax (217) 522-2417

James M. Worthem a/k/a David Scott
20070071905
P. O. Box 089002
Chicago, IL 60608

Chicago
October 29, 2007

Re: Jonathan Edward Vongher
in relation to
James M. Worthem
No. 07 CI 4898

Dear Mr. Worthem:

We have received your letter of complaint regarding Jonathan E. Vongher.

Initially, as you may know, the duties of this Commission relate primarily to investigating and prosecuting allegations of professional misconduct against lawyers. When we have enough evidence of misconduct by an attorney, we may try to cause the lawyer to be disbarred or suspended from the practice of law. This process may take years to be concluded. We cannot provide you with any legal advice or assistance and cannot intervene in your legal matters in any way. We are also unable to assist you in efforts to secure a different attorney.

Your complaints regarding Mr. Vongher relate to his competence and effectiveness as your defense counsel. Allegations of ineffective assistance of counsel are appropriately addressed and resolved in court through motions, appeals or petitions for post-conviction relief. Therefore, as a general policy, this Commission will not consider such allegations unless a court has first found that the attorney was ineffective.

If you have not already done so, you may wish to raise your concerns about Mr. Vongher's representation in court. If, in the future, any court finds that the attorney failed to represent you effectively, we invite you to send us a copy of the court's decision. At that time, we will determine whether further action by this office may be warranted. Until such time, we will take no further action in the matter.

Very truly yours,

Althea K. Welsh
Senior Counsel



ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
of the
SUPREME COURT OF ILLINOIS

One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, IL 60601-6219
(312) 565-2600 (800) 826-8625
Fax (312) 565-2320

One North Old Capitol Plaza, Suite 333
Springfield, IL 62701
(217) 522-6838 (800) 252-8048
Fax (217) 522-2417

James M. Worthem a/k/a David Scott
20070071905
P. O. Box 089002
Chicago, IL 60608

Chicago
March 20, 2008

Re: Jonathan Edward Vongher
in relation to
James M. Worthem
No. 07 CI 4898

Dear Mr. Worthem:

We have received your recent letter.

Again, it is important that you understand that this office cannot provide you with any legal advice or assistance and cannot intervene in your legal matters in any way. Our duties relate primarily to investigating and prosecuting allegations of professional misconduct against lawyers. When we have enough evidence of misconduct by an attorney, we may try to cause the lawyer to be disbarred or suspended from the practice of law. This process may take years to be concluded. No action we could take would help you with your case at this time.

Additionally, your complaints regarding Mr. Vongher relate to his effectiveness as your defense counsel. As we advised you in previous correspondence, allegations of ineffective assistance of counsel are appropriately addressed and resolved in court through motions, appeals or petitions for post-conviction relief. Therefore, as a general policy, this Commission will not consider such allegations unless a court has first found that the attorney was ineffective.

If, in the future, any court finds that Mr. Vongher failed to represent you effectively, we invite you to send us a copy of the court's decision. At that time, we will determine whether further action by this office may be warranted. Until such time, we will take no further action in the matter.

Very truly yours,

Althea K. Welsh
Senior Counsel

AFFIDAVIT OF AFFIRMATION UNDER PENALTY OF PERJURY.

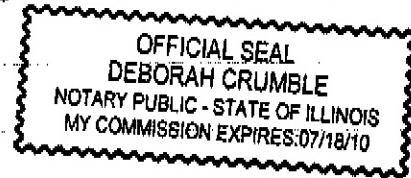
I, ANNETTE GARCIA, witness on behalf of James M. WORTHEM #07 CRO9711 DO hereby declare and affirm under penalty of perjury as defined in "725 ILCS 5/1-109" that Everything contained herein is true and accurate to the best of My Knowledge and belief. I further declare and affirm that the contents of the foregoing document(s) are known to me and are accurate to the best of My Knowledge and belief. Finally I DO Declare and affirm that the Matter at hand is not taken either frivoLously OR MALICIOUSLY and THAT I believe the foregoing Matter is taken in good faith.

Signed on this 27th Day of February, 2008

13/ Annette Garcia

Feb 27 2008

DLL/M



D : - :

I, Annette Garcia, was illegally arrested and charged with an assault on an alleged victim "Solis Conception" on 4/22/07 at approximately 7pm and was later released from the 25th District Police Station at around 4AM on 4/23/07. C.P.D. was witnessed by me not once but twice by kicking down 3 of our apartment doors as nobody was home. C.P.D. had no search warrant and told me that they didn't need any search warrant nor did they visualize anybody going in or out of my residence and they jumped over the back gate in order to gain entry to back porch. C.P.D did not even knock and announce their presence, they drew guns and began kicking in my doors. I never gave C.P.D. the name of my common law husband, my mother Janita Ramirez called my cell phone while I was hand cuffed and officer answered phone call and asked my mom who my husband is. My mother or I have ever witnessed "James Wirthem" commit any crimes nor have I ever been a reliable source or informant for C.P.D. James Wirthem was working hard out here and being a family man and taking responsibility for his family. we are both victims in this case, I never opened up any gate for James, he has his own house keys, why wouldn't he, it's our place and we pay rent. I was and am the victim of that illegal search and seizure and that's why C.P.D. let me go on an I-bond because they never had any probable cause to search and seize my person in the first place. Also P.D. John vougher called me over the phone right before the start of trial on 1/22/08 and told me that even though I was sent a subpoena to testify on Mr. Wirthem's behalf as I was very much willing to do that I'd get into trouble and that my credibility wouldn't be good because I was now on parole and since I'm ignorant toward the legal world I got scared and didn't show up, but C.P.D. never showed me any photo of Mr.

Immortal husband until after I was taken to the police station and long after the use of excessive force upon my apt. doors. Also take note that he same Judge John J Moran of whom found James Wetherem guilty, Also had me plead guilty to an offense of D.U.I. that I was not guilty of for a 1 year I.D.O.C. sentence that was later found to be wrong on C.P.D. officer of whom was discredited and publicized on the news of illegally writing up and arresting over 100 D.U.I tickets but nobody has yet taken away this wrongful conviction. I was sentenced to 1 year on 8/3/07, everytime I appeared before the court, P.D. John Vougher constantly told me that he would set up a meeting for James and I together if I could convince James to back off and not to take a JURY trial and I even told P.D. that when the Detectives again broke down my doors, I seen them out of my back window throw something on the roof of the building, but when I asked them about that and of the reason why their again kicking down the doors that my husband had to nail shut, they then broke 2 padlocks off of a cabinet that held one private papers and they told me to shut the fuck up and that they were looking for drugs and guns. I then seen the fire dept come and get up on the roof but I still don't know what was retrieved if anything. This is my testimony and I'm willing to testify to the truth of all this and the court is wrong in finding James Wetherem guilty of a crime he didn't committ and C.P.D. illegally arrested him without any arrest or search warrant and no probable cause whatsoever and the P.D. did not object to the states introduction of the witnesses testimony about some alleged pictures that provided probable cause over the internet but was destroyed and in violation of my husbands 4th and 14th Amendments. S/ Bonette Garcia

I didn't get to talk to P.D. John
he just ask me what did I know
I Said nothing then he told me that
you wanted to take it to trial and
that he didn't think it was a good idea
that I could convince you to back
up that's when he went to get you
3 we were supposed to talk but we
didn't that's all.

My attorney was a private attorney
that owed the judge a favor so
since ~~the~~ the only PD was
talking court of your case the judge
assigned him to mine he ask
if it was okay I said yes I ask
for a 402 set wanted to give me 3 by
my attorney come up with 1 if so
in total I did almost 6 months
Cook County & DuPage

By Annette Garcia
11/16/07